REQUEST FOR

OCT 0 3 2008

CONTINUED EXAMINA

Subsection (b) of 35 U.S.C. § 132, effective on May 25 Mode

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Suzanne Lombardo

NAME

Application Number:

10/619.677

Filing Date:

July 15, 2003

First Named Inventor.

LeMay et al.

Group Art Unit:

3761

Examiner Name:

Jacqueline F. Stephens

9/30/08

DATE

Attorney Docket Number: 460.2242USQ

CUSTOMER NO.:

67,519

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

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1.	[Submi	ssion re	equired under 37 C.F.R. § 1.114					
	_	a.			Previously submitted				
			i.		С	consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed			
					-	n (any unentered amendment(s)			
1					r€	eferred to above will be entered).			
			ii.			onsider the arguments in the Appeal Brief or Reply Brief previously filed			
					fil	led on			
			iii.	,		Other			
	ŀ	b.	XXXXX	_	Enclosed	d mendment with transmittal			
			I. ::	XXXXX					
			ii. iii.	7777		ffidavit(s)/Declaration(s) formation Disclosure Statement (IDS) and PTO-1449			
				XXXXX	•	Other			
2.	6	Misco	iv. Ilaneous]					
2	_	a.	nancous	•	Susnens	sion of action on the above-identified application is requested under 37			
	,	u .		-	C.F.R. &	1.103(c) for a period of months. (Period of			
					suspension	1.103(c) for a period of months. (Period of on shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)			
	١	b.			Other _				
3.		Fees	The RCE	fee Unde	r 37 C.F.R	. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.			
	\	a.	XXXXX	X	The Con	nmissioner is hereby authorized to charge the fee of 1270.00, any			
					deficienc	by in fees, or credit any overpayments to Deposit Account No.: 162-127			
					in the na	ame of Playtex Products, Inc. If needed, the Commissioner is hereby			
						ed to charge any additional fees to Deposit Account No. 01-0467.			
			i.	XXXXX	<u> </u>	RCE fee (\$810.00) required under 37 C.F.R. §1.17(e) Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)- \$460.00			
			ii. :::	XXXXX					
		h	iii.		_ Check in	Other enclosed			
		b.		_	Paymen	t by credit card (Form PTO-2038 enclosed)			
		C.			ayılıcıl				
,	lant	ho- 20	2000			(Xanke M. H. Wylele			
	eptem ate of), 2008 ure			Charles N.J. Ruggiero			
L	aic UI	Jigilal	u. u			Attorney for Applicant(s)			
10/06	/2008 RI	1EBRAHT	00000010	010467	10619677	Registration No. 28,468			
01 FC:			10.00 DA			Ohlandt, Greeley, Ruggiero & Perle, L.L.P.			
AT LP	.1001	0	PASAA NU			One Landmark Square, 10 th Floor			
						Stamford, Connecticut 06901-2682 Telephone: (203) 327-4500			
						Telefax: (203) 327-4500 Telefax: (203) 327 6401			
						CERTIFICÀTE ÓF MAILING			
1	hereby	certify t	that this co	orrespond	ence is bei	ing deposited with the U.S. Postal Service as first class mail in an envelope addressed to:			
N	1ail Stop	o RCÉ,	Commissi	ioner for F	Patents, P.0	O. Box 1450, Alexandria, VA 22313-1450 on September 30, 2008.			

OVE	E							
<u> </u>	3 2008 REQ	UEST	Application Number:	10/619,677				
0 CT 0	3 2008 m	OR	Filing Date:	July 15, 2003				
		(AMINATION (RCE)	First Named Inventor.	LeMay et al.				
		132, effective on May 29, 2000,	Group Art Unit:	3761				
		amination of a utility or plant	Examiner Name:	Jacqueline F. Stephens				
		n or after June 8, 1995.	Attorney Docket Number:					
See The	• •	Protection Act of 1999 (AIPA)	CUSTÓMER NO.:	67,519				
This is	Note: 37 C.F.F may wish RCE to b	t. § 1.114 is effective on May 29, 2000. In to consider filing a continued prosecupe eligible for the patent term adjustmental Application Practice. Final Rule, 65	nder 37 C.F.R. § 1.114 of the above. If the above-identified application was fileration application (CPA) under 37 C.F.R. § 1 int provisions of the AIPA. See Changes to Fed. Reg. 50092 (August 16, 2000); Interior (Apr. 11, 2000), which established RCE pages 1.11. 2000).	d prior to May 29, 2000, applicant 53 (d) (PTO/SB/29) instead of Application Examination and n Rule, 65 Fed. Reg. 14865				
1.		ission required under 37 C.F.R. § 1.114 . Previously submitted						
	a i.	Consider the	e amendment(s)/reply under 37	C.F.R. 1.116 previously filed				
	1.	on	pove will be entered).	(any unentered amendment(
		referred to ab	pove will be entered).					
	ii.	Consider the	e arguments in the Appeal Brief	or Reply Brief previously file				
	:::							
	iii. b. XXXX							
	υ. <u>^^</u> ^		t with transmittal					
	ii.	Affidavit(s)/I	Declaration(s)					
	iii.		Disclosure Statement (IDS) and	HPTO-1449				
_	iv.	¬						
2.	Miscellaneou	Sucnancian of action	on on the above-identified applic	cation is requested under 37				
	a	C F R 8 1 103(c) fo	or a period of	months. (Period of				
		suspension shall not	exceed 3 months; Fee under 37 C	F.R. §1.17(i) required)				
	b	Other						
3.			required by 37 C.F.R. §1.114 when the	RCE is filed.				
	a. <u>XXXX</u>		is hereby authorized to charge					
		in the name of Pla	or credit any overpayments to Daytex Products, Inc. If needed	the Commissioner is hereb				
		authorized to charg	e any additional fees to Deposi	Account No. 01-0467.				
	i.	XXXXX RCE fee (\$8	810.00) required under 37 C.F.F	R. §1.17(e)				
	ii.	XXXXX Extension of	of Time fee (37 C.F.R. §§ 1.136	and 1.17)- \$460.00				
	iii.	Other						
	b	Check in the amou	nt of \$enclo card (Form PTO-2038 enclosed))	SEU				
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		/	1X/() X1/1/L					
Sente	ember 30, 2008		Kende M. Hing	Cely				
	of Signature		rles N.J. Ruggiero					
	-		rney for Applicant(s)					
			istration No. 28,468 andt, Greeley, Ruggiero & Perle, L.	L.P.				
		One	Landmark Square, 10 th Floor					
		Stan	nford, Connecticut 06901-2682					
			phone: (203) 327-4500 fax: (203) 327 6401					
		CERT	IFICATE OF MAILING					
I hereb Mail St	by certify that this cop RCE, Commiss	orrespondence is being deposited	with the U.S. Postal Service as first cl Alexandria, VA 22313-1450 on Septe	ass mail in an envelope addresse mber 30, 2008.				
	0		A I NOW	9/30/08				
	Suzanne Lomba NAME	ardoSIGN	NATURE	DATE				